

Right to Farm and Ranch meeting. April 6, 2009. Staff in attendance: John Lavey.

Items discussed:

- Want incentives for developers to do the "right" thing. Does not appear to be consensus on the board on what 'right' thing is, although all RTFR members present generally agree that cluster development is preferable over large tract development.
- Incentives discussed were potential minimization of fees, reduction of review timelines. Some discussion about validity of deed restricting remaining portions of land after subdivision, but no obvious legal mechanism exists. Discussed incentivization of deed restrictions.
- Want to encourage avoidance of development over prime farm soils. Concerned about loss of good farmland, but also concerned that individuals are able to extract something out of land other than farm income.
- Some shared view that public perception of planning department on shaky ground because of how we may have treated situations on the past. Specific example are the Collers who wished to relocated boundary lines between many different lots. Planning said possibility was to leave lot lines as were, because previous history of boundary relocation precluded proposal.

Thoughts

- Placing deed restrictions on parcels intended for open space/park land quality idea for preservation of viewshed at least, no ability to force owner/subdivider/developer to continue previous activity after land is subdivided.
 - What are some incentives to encourage deed restricting open spaces within subdivisions? Relax road standards within a certain proximity of municipalities?
- Folks are inclined towards misrepresentation of planning activities for many different reasons. Ravalli County's Planners must use reasonable interpretation and discretion of existing regulation only when that interpretation is not contrary to clear requirements. Planners wear the hat of recognizing that an individual is expressing to do the 'right' thing on the one hand, but also adhering to clear requirements on the other hand.

MT Fish, Wildlife, & Parks Meeting. April 16, 2009. Staff in attendance: Randy Fifrick.

Items discussed:

- They are familiar with how to comment on subdivisions, but not familiar with overall process or the Regulations.
- A lot of discussion about the notification process and how it's working for them. Overall they are pleased with how we notify them and the amount of time we give them. They would prefer as much notice as possible to make comments and the earlier they are notified the better. Missoula County actually notifies FWP of subdivision applications during Pre-App time period. They would also like more readable reduced plats, a geocode in notification letters, and an EA/Probable Impacts when appropriate. They would be okay receiving notifications via email.
- Very rarely is FWP ever contacted by the subdivider.
- There was discussion on their current living with wildlife covenants. It seems to be that they are educational for most, but really aren't that effective.
- FWP would appreciate case planners contacting them directly when a subdivision is proposed in a "problem area" (winter range).
- FWP is spending more and more time dealing with wildlife-human conflicts associated with new development.
- The process for establishing setbacks on creeks and rivers is working pretty well for FWP. Most of the time there recommendations are in concert with the Floodplain Managers.

Thoughts

- FWP provided a lot of comments on the notification process, but not so much on other parts. Some of the notification things could be easily implemented. They seemed to be currently overall satisfied by our process. We talked about giving comments and providing studies/data to back up there recommendations. Overall, their big thing was they want to be involved early in the process, the earlier the better.

School Districts Meeting. April 23, 2009. Staff in attendance: Jon Wickersham.

Items Discussed:

- Most of the discussion was focused around the notification process. Some of the superintendents are familiar with the process while others are not. Some are not familiar with the process because their areas do not see much development (i.e. Darby). The superintendents who are familiar with the process think it works and they are given ample time to respond.
- The county superintendents are familiar with the commenting process but not very familiar with the current regulations.
- The school districts are satisfied with the current system of collecting mitigation fees that was devised last fall with the Board of County Commissioners.
- Some of the superintendents were not aware of the current amount the County Commissioners were asking for regarding school mitigation fees. Some of them had angry applicants calling the school asking about mitigation money and saying they thought this was a voluntary donation. When this happens they refer these people back to the Commissioners.
- The superintendents will write a form letter describing what all the school districts would like to see in the way of bus turnout lanes and bus shelters. All the superintendents in the county would sign it and it could be shown to developers before they start the process so they know what the school districts expect.
- They would also like to see some type of housing threshold written into our regulations regarding when bus shelters are required (I.E. If a certain number of houses are built it would require a bus shelter). They are going to consult their bus manager for his opinion on the matter.

Thoughts:

- They are satisfied with our notification process and think it is working well. They are also pleased with how mitigation fees are currently collected. The superintendents would like to see some type of housing threshold written into our regulations that would require bus shelters; they think this would eliminate the need to send out a form letter every time they are notified of a subdivision. As a group they are going to get together and construct a letter which will notify developers of what the school districts expect from new development in the valley.

Florence Sewer District Meeting, April 29th, 2009. Staff in attendance: Jon Wickersham.

Items Discussed:

- We discussed our current process and that they could comment on the drafts once they have been release for public comment.
- We discussed to notification process. The thought they were currently not being notified of new subdivisions but in reality there just have not been any subdivision in the area in some time.
- They were not familiar with the notification process because of the reason stated above.
- We discussed our current regulations. They did not have any recommendations.
- One member of the board said he would like to see no waivers approved through EHD.
- The sewer district also wanted to make sure that at no point will they see development density less than one lot per acre.

Bitterroot Land Trust Meeting. May 5, 2009. Staff in attendance: Randy Fifrlick, Jon Wickersham.

Items discussed:

- They do not work with the regulations much, but their clients often do.
- They encounter a lot of problems with owners with a single large parcel trying to split off a single lot. (2 lot split on 120 acres)
- Find ways to provide incentives for subdivisions that provide some type of public benefit. Possible incentives include streamlined process and a reduction of fees. They understand it comes down to the developer wanting to do the right thing.
- Problems with landowners who own hundreds of acres in orchard tracts, seems to be no good way of split them off. Boundary line relocations have limitations. MCA's don't necessarily address a BLR of orchard tracts.
- Currently do not receive subdivision notifications and want to keep it that way. Do not put them on agency contact list. If there is a large subdivision submitted next to conservation easement BRLT would appreciate a phone call.
- Would like to see viable cluster developments, but the problem of who holds the easement arises. BRLT would not be willing to hold an easement in all cases, especially if the land holds no conservation value.
- Would like to see the SRR process add predictability to the regulations, as well as make the regulations more understandable and flexible for planning staff to make decisions.

Thoughts

- One problem with our current regulations is the fact that family transfers are so easy and the first minor subdivision process is so cumbersome. It would be nice if we could find a middle ground for 2-3 lot subdivisions that would get some review, but not be a strenuous. People abuse the family transfer process because of its ease.

Montana Natural Heritage Program. May 6, 2009. Staff in attendance: Randy Fifrick.

Items discussed:

- They do not work with the regulations much; they are only a source of data for clients.
- They are working a program that will give SOC information on a per section basis for the public.
- Current process seems to be working fine for them.
- Emphasized that these reports are in no way replacements for the work that should be done by field biologists. These reports should clue us in on things to be on the look out for.
- Offered a training session for our staff at some point, would take 3-4 hours. All we need to do is provide the room.
- MNHP can not verify if they have been contacted by a developer. They have a confidentiality agreement that they work under.
- If questions arise during review, planners are encouraged to contact MNHP.
- It's important we continue to work with other agents who are in the field more (FWP)
- Provided some notes on minor wording tweaks in our regulations to update them with MNHP's terminology.

Thoughts

- Everything seems to be running pretty smoothly. The tweaks of wording to our regulations should be an easy fix. In the coming months it may be useful to have a MNHP training for our department.

Utilities Meeting May 7, 2009. Staff Attending: Randy Fifrick, Jon Wickersham

Items Discussed:

- The utility companies were fairly familiar with our notification process. They said they did not have any problems with the current system.
- One problem they have run into is steep banks along roads. The companies do not like to install their lines on the bank and this often leads to them asking the land owner for another 10 feet of easement so they can run their lines. They believe it would be helpful to see the road plans so they are able to notify the developer before the road is built.
- They also said the utility availability sheet the county uses is often changed by consultants.
- They were fairly familiar with our current regulations and did not have any recommendations.
- Notification that a subdivision has been approved would be helpful to them. A letter from the Planning Department is sufficient. The best way might be for them to just ask for the PPD from the Developer.
- There have been problems/frustration extending utilities to additional development. When one subdivision is approved and then years later another is approved behind it. One example was in the Eight Mile area.

Thoughts:

They thought the notification process was sufficient and liked be notified because it allows them to see how many projects are coming their way. Also, they would like to be notified when a subdivision is approved, as mentioned above the best way for this might be to ask the developer for the PPD. Another problem are the steep slopes related to road design. As all roads are designed by an engineer these drawings are available and they can ask the developer to take a look or coming into our department and look in the file. The last issue is how consultants and developers are manipulating the Utility Availability sheets.

Bitterroot Water Forum. May 7, 2009. Staff in attendance: Randy Fifrick. Attendees: Laurie Riley and Dave Schultz

Items discussed:

- They do not work with the regulations much, and really were not very familiar.
- They would like to see setbacks for wetlands/riparian areas, including isolated wetlands.
- Our regulations should refer to natural wetlands, not to be confused with man made features.
- They would like to see standard setbacks for all water resources.
- They would like to incorporate some of the things that came out of the wetlands training from 2007.
- There was a memo from Geum Environmental Consulting to Karen Hughes from June 6, 2007 that include recommendations for regulation revisions.
- 3-1-5(xli)(B)(1)(d) ~~marsh wetland~~, *natural native*
- 3-1-5(xli)(B)(3)(v) include *reptiles, amphibians, and birds*
- 5-2-2(a)(6) include *wetlands*
- 5-2-1(3) include *wetlands*
- Include a definition of wetland in definition; maybe use the Army Corps definition.
- In Table 5-2-1 (Sanitation Guidelines) they would like to see it less dense than 1 per 1. They are concerned about high densities of wells and septic systems creating water quality issues.
- They are concerned with cumulative impacts.
- They have concerns with people using irrigation water when they subdivide into small parcels and groundwater contamination.

Thoughts

- Some of their concerns and recommendations probably fall outside of the SRR process. Some ideas would be better part of zoning and others EHD issues. The memo from Geum should be pretty useful going forward, lots of thought out recommendations.

Irrigation District Meeting May 11, 2009. Staff Attending: Randy Fifrlick, Jennifer De Groot; Irrigation District Representatives: John Crowley, BRID & Paul Barteni, Daly Ditches

Items Discussed:

- They stressed multiple times that the water is attached to the land, meaning it just simply can not be severed. The irrigation company needs to constantly track landowner turnover.
- The irrigation districts were fairly familiar with our notification process. They liked being notified of subdivisions up front and also appreciate the SEA notifications as well.
- However, some subdividers do not notify them.
- They would like a contact person in each subdivision, either a contractor or a HOA president.
- High density subdivisions are more cumbersome for them. They are now requiring meters and valves for these subdivisions.
- They really want to be notified of pump moves and when the point of diversion is changed. Meters need to be accessible.
- It is much better for the ditch company to approve the irrigation layout before the subdivider begins building roads and putting in other infrastructure.
- The 10' easement that most subdividers put on the plat is acceptable, however they have had problems with fences or sheds being placed too close to and in the easement. The ditch companies need to be able to get equipment along the ditch. We could ensure that fence placements are really approved by the ditch companies at the time of final plat approval.
- They noted we need better enforcement of irrigation facilities after the subdivision has approved final plat.
- We asked if it was too much trouble for them to approve subdivision irrigation plan prior to final plat approval. Right now, the only final plat requirement is to submit a master irrigation plan, but not irrigation company sign-off. They said it depended on the time of year.
- Mr. Crowley said it was hard to show documentation of existing water rights for properties within BRID because of the way the system works. Randy assured him that the PD accepts the signed approval from BRID designating water right shares instead.
- In order to sever water rights, landowners have to petition out of the district because water is attached to the land. The Board has to approve all redistribution of water rights.
- Section 5-6-3 has a reference to Section 3-1-5(a)(xxxviii), which is not correct.
- They really want to ensure that their comments get in during the sufficiency stage so any additional requirements can be included in the PPD.

Town of Stevensville Meeting. May 11, 2009. Staff in attendance: John Lavey.

Items discussed:

- Provided basic overview of process and purpose to Town Counsel and invited participation, particularly on those areas close to town.
- Discussed with Don Rainey (building inspector) and Ben Longbottom (volunteer town planner) process more in detail. Don provided example subdivision format stevi uses to get subdivision applications all organized the same way, and suggested it might be worth the County looking into.

Thoughts

- If applications are all formatted the same way, it could help our Planning Board and BCC review applications more efficiently.
- Seems that specific format would need to be a requirement of sufficiency.

Bitterroot Conservation District Meeting, May 12, 2009. Staff in attendance: Randy Fiferick. Attendees: Bitterroot Conservation District Board and guests

Items discussed:

- Notification process to BRCD is working. They receive notification of all subdivisions and it is brought up at their monthly meeting under notices.
- They have problems with Family Transfers; people don't realize what they are getting into. Especially FT's along streams and rivers.
- They would like to see a streamside setback implemented into the regulations. They deal with a lot of bank stabilization projects because of houses built too close to the river and streams.
- They deal with a lot of irrigation issues and rights issues.
- When it comes to subdivision design and lot design it depends on the property for their preferred approach. They did not have a preference for cluster or conservation subdivisions.
- They deal with a lot of problems with neighbors not getting along and each property wanting its own bridge to cross a creek. Through Subdivision Review our current regulation does address this.
- When asked from their point of view is it better to have multiple individual owners along a stream or have the area owned by a HOA. They have problems dealing with inactive HOA's when trying to get permits, but getting a bunch of individuals together is also cumbersome. They have no strong opinion one way or the other.
- They have been getting "fishing letters" (people looking for more information) from contractors, without seeing the application they don't know if they need a specific permit.
- They asked if someone could come back and report on potential changes when the first draft comes out.

Thoughts

- They seem to be fine with the subdivision process. A lot of the problems they face from come from Family Transfers and "ghost lots" being built on. It will be important to work with them once the first draft comes out and explain the substantial changes.

USPS District Growth Manager Meeting. May 12, 2009. Staff in attendance: Randy Fifrick. Attendee via phone: Mike Wyrwas.

Items discussed:

- He does not work with the regulations much, he relies on USPS policy.
- He does receive notifications from Flathead County, but he is not interested in being contacted for every subdivision in Ravalli County. He would rather have us contact the local postmasters.
- In reviewing 5-7-3, he wanted to clarify they do not provide mail delivery service to individual lots. CBU's located at the entrance to the subdivision are the way they want developers to go.
- For safety reasons they also want to see turnouts at the CBU's installed.
- There are lots of ways to dress up CBU's to make them visually attractive and add to the subdivision.
- 5-4-9, Mike reiterated they do not provide mail services on private roads.
- Even if a subdivision were to front on a county-maintained road and have individual accesses off the County road they want all boxes in one central spot. They would also want a turnout.
- Documents from 2007 should be incorporated as part of the SRR process.
- Developers and owners are responsible for purchasing CBU's and meeting the specs for concrete slabs
- Placement of the CBU should be up to the local post office or by mutual agreement.
- Safety is a big concern when placing CBU's

Thoughts

- It would probably be a good idea to expand our current section on mail delivery in the current regulations. The USPS documents from June 2007 should provide good help in adding to our current regulation.

USPS Postmasters Meeting, May 13, 2009. Staff in attendance: Randy Fifrick. Attendees: Ed Jolly, Evelyn Fillon, Janice Finch, Teri Radford, Tom Nuxoll, Michael Stahl.

Items discussed:

- They do not work with the regulations much, they rely on USPS policy.
- It's important that developers contact their local post office prior to getting too far into the process. Not doing so can cause problems before final plat.
- They would like to see some type of form letter from local post offices as part of element and sufficiency review. This would solve most of their problems. They need the developer to contact them as early as possible.
- Turnouts are an important safety aspect.
- CBU's should be placed at the subdivision entrance, increases efficiency
- Most consultants are good at contact the Post Offices.
- Developers pay all costs of the CBU. USPS does do the installation though.
- Not many problems with Family Transfers, everything seems work itself out, usually they just do individual boxes.
- Darby is a bit different than the rest of the PO's in the county. They have a highway contract, and typically go with individual boxes.

Thoughts

- They provide me with a lot of documents. Seems like a real easy fix would be to require some type of form letter from local post offices as part of element and sufficiency review. This would make them very happy, and should save developers work at the end. Makes better planning since to address this early in the process.

Board of Health Meeting. May 13, 2009. Staff in attendance: John Lavey.

Items discussed:

- The Board met to discuss a letter drafted by board member Roger DeHaan. Members of the Board were quick to point out that the letter did not at this point represent the thoughts of the board, but only those of Roger.
- Roger and Theresa Blazicivech (sp?) discussed their thoughts for the creation of water and sewer maintenance districts for subdivisions. It appears that they are in favor of having an organized body monitor and maintain individual septic systems and wells on individual lots when those lots are created through subdivision.
- Board seems to generally favor addition of pedestrian facilities for certain subdivisions, but offered no specifics on what type of subdivisions may be more suited, if at all, to certain types of pedestrian infrastructure.
- Roger is in favor of requiring a minimum setback for creeks and streams.
- Roger is in favor of requiring permanent, ongoing water monitoring for new subdivisions. There was much discussion on the board about this topic, and there does not appear to be any consensus. Generally, the board discussed what exactly would anyone do with the data compiled from this ongoing monitoring?
- John stated that several items in the draft letter (cut off lighting, wood stoves) were more akin to building codes than subdivision regulations, and that the best the County could do without any sort of building code program would be to include as covenants or notifications.
- The board did come to a general agreement that the County should include a standard set of covenants/notifications in the regulations so that developers would be able to predict requirements before having to "battle it out" with the Commission.
- The Board did not come to an overall agreement on the letter, and several items remain un-discussed.

Thoughts

- Water/sewer 'maintenance districts' quite problematic for individual lots. Homeowners associations tend to falter at best when few lots in subdivision or in large acreage lots. What would these maintenance districts do?
- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Setback will certainly be a touchy issue, although they are already in our subdivision regulations. One thought would be to essentially keep the FP analysis/waiver requirement as it is for the basin sizes indicated, but to switch it up for smaller creeks and surface water. For example, a developer might perform a FP analysis for smaller creeks, or provide a minimum setback. The choice would be theirs, but there would be an opportunity to provide a scientifically defensible method for ascribing setbacks if the developer shoes to go that route.
- It is my understanding that the Board will continue this discussion and hopes to come to an agreement on the content of the letter. When this occurs, they will issue it to the Planning Department.

DNRC-Missoula Meeting. May 15, 2009. Staff in attendance: Randy Fefrick, Jon Wickersham, Laura Hendrix. Attendees: Bill Shultz, Larry Schock

Items discussed:

- They do not work with the regulations much, other than the information that specifically deals with their department.
- They would like to receive notifications for every subdivision.
- From the floodplain side we are seeing more analysis and less waivers being granted.
- DNRC would like to receive the notification letters as early as possible.
- When we have a big subdivision and they have no water rights or not enough water rights they would like final plat approval to be contingent upon water right approval. When a community system is proposed is when the subdivision would need a water right permit.
- Subdivisions that require a water right permit should get a provisional permit, maybe this could be done as part of sufficiency review.
- There needs to be some type of study/research done when someone is proposing to hook into city water. The city needs to have sufficient water rights for the acquisition.
- They are willing to work with us on putting together language that would address these needs.
- They would like to see the Controlled Groundwater Areas (CGWA) recognized as special areas. We could add a question in the application form asking if they are in a CGWA. We need to work with GIS and add these CGWA to our GIS database.
- 3-1-5(xxxv)(A) In the note at the end, it should be emphasized that water rights are conveyed by the land, but also the ownership of the water rights needs to be recorded.
- We talked about moving the floodplain regulations to an appendix. All parties seemed to agree that would be a good idea.

Thoughts

- They had some good ideas about changes to the regulations. I think we require a lot of it already, but it would be good to check everything over and clean up what needs to be. More attention should be paid to water rights, ensure everything we are allowing subdividers to do is legal. Adding in the CGWA information seems like a simple change. I think it would be better for everyone if the floodplain regulations were moved to an appendix. All we should require for our subdivision review is the letter granting the waiver or analysis from the Floodplain Manager.

Five Valleys Land Trust Meeting. May 15, 2009. Staff in attendance: Randy Fifrick, Jon Wickersham. Attendees: Juniper Davis, Greg Tollefson

Items discussed:

- Randy went through the process and explained each of the steps.
- They were not very familiar at all with the regulations.
- Currently do not receive subdivision notifications and want to keep it that way. Do not put them on agency contact list. If there is a subdivision submitted next to conservation easement they would appreciate a phone call. They will not get involved with opposing subdivisions.
- They have worked with developers who are proposing development along with a conservation easement. They are willing to work with developers if the proposed open space does have conservation value. They have also turned down projects.
- We discussed open space in subdivisions and noted that when the open space is put into a Home Owners Association it most likely will become a field of weeds.
- Another challenge they have run into with cluster development when a conservation easement is included is figuring out who is in charge. Do they talk to the developer or the Home Owners Association?
- We talked about incentives for people doing cluster/conservation subdivisions, but nothing other than time and money came up.

Thoughts

- Since they were not familiar with our regulations they did not have any suggestions on our current regulations. They did have some ideas about cluster/conservation subdivisions but fell short of recommending anything other than time and money. Greg did recommend looking into what incentives can be legally implemented.

PCI Meeting, May 19, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- PCI drafted and submitted a report summarizing some of the overriding concerns they have with the current set of regulations.
- Expressed concerns about the current review process for floodplain analysis and waiver requests. Suggested an overall time period for which the analysis had to be approved or a waiver granted otherwise the application would be approved by default.
- Timelines for issuance of PPD's. Tristan explained that the 2009 Legislature passed a HB that put a 30 working day timeline in place.
- Requested a more in-depth pre-application process to include multiple departments (specifically RCRBD). Concerned not all "red flags" are being adequately identified.
- Wanted to create some guidelines for when a subsequent sale of a family transfer gift would be allowable. Tristan explained that there is currently a process for such requests and stated that he will work on making that information more readily available.
- Expressed concerns regarding the current pro-rata share assessment and its legality. Not fans of the "road grader district" assessment process. Stated that developers should have the option of providing improvements to roads that the pro-rata was assessed on without requiring a variance.
- Want consistency with road width requirements – seemed okay if the minimum paving width was increased to 20 feet.
- Want assurance that all agency comments received by the Planning Department are provided to the developer in a timely fashion, especially those with significant bearing on the subdivision proposal.
- Wanted to adopt a uniform fee schedule for mitigation.
- Pedestrian Pathway and Sidewalk regulations should be included in new set of regs.
- School Bus Shelter design standards. Based on # of expected children.
- Commercial development standards.
- Move road plan review to post public process. Provide information pertaining to proposed roadways at the sufficiency stage, but do not require full engineered plans and review until after a preliminary plat decision has been rendered.
- Create a GIS layer outlining which areas of the County are considered to be within High Fire Hazard Areas. Make this determination less ambiguous.

Thoughts

- Ensure that "red flags" are dealt with as soon as they are identified. Include other County officials when necessary.
- Look into include a section under 4-5-2(c) outlining a non-exhaustive list of situations where a subsequent sale of a family transfer parcel would be considered and the process for which an individual would follow.
- Based on the 2009 legislature, the pro-rata "grader district" issue will be dealt with.
- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Mitigation outlined within regulations would not be effective, as mitigation is site specific and changes over time. Potentially create a supplemental administrative sheet outlining preferred mitigation measures.
- Will provide further detailed comment as the process moves forward.

Territorial-Landworks Meeting, May 21, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Suggested relating all arbitrary items (i.g. setbacks, flag lot lengths, cul-de-sac lengths, etc.) to other agency standards already in existence.
- Pro-Rata is an intelligent regulation; it just needs to be well documented and defensible. Pro-rata, or some type of similar regulation, should be utilized across the board. The 20 lot threshold for complete improvements is arbitrary and capricious.
- The regulations should contain specific design standards as outlined in AASHTO. Just referencing AASHTO is ambiguous, as there are so many different scenarios within AASHTO.
- Minimum paving should be 20 feet. 18 feet is far too narrow.
- Current regulations give the RCRBD too much discretion. Specifically with regards to TIA and improvements based on identified issues within the TIA.
- Section 2-2(a) should have a timeframe associated with it.
- Definitions: Primary Access, Ordinary High Water Mark, Natural Drainage, to name a few...
- Require all applications to be submitted in a standard format. Reorganize the element items to make logical sense for someone reviewing the application materials. Important information towards the front.
- Differentiate the requirements for plans and plats.
- Spell out specifics for what needs to be included in a Phasing Plan.
- Potentially draft two separate types of standards: Urban/Rural or Large Lot/Small Lot. Look @ Missoula County Subdivision Regulations for an example.
- Setbacks from streams should be based on drainage basin sizes not just an across the board ambiguous distance. Or consider 50 feet from all streams and 100 feet from the Bitterroot River.
- Cul-de-sac length should be based on # of lots within subdivision rather than just a set maximum standard.
- Require sight triangle easements within all new development. On site and off?
- Pedestrian facility standards.
- Curb and gutter regulations.
- Require specific qualifications for forester/ biologist when required to provide an SSR or WUI determination.
- Work on clearing up vague language within the design standards. If it allows for interpretation how can it be a standard?
- Get rid of restricting building on slopes greater than 25% or provide reasoning for why 25%
- Section 5-4-8 provides too much power to RCPD and RCRBD – Too open ended.
- Section 5-6-2 - List out the major ditches that require fencing.

Thoughts

- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Need to adequately define key wording within the regulations especially when pertaining to design standards.
- Look into a separation between large lot design standards and small lot design standards (SEE MISSOULA COUNTY REGULATIONS)
- Find wording that is less ambiguous and doesn't require interpretation (THEY ARE REGULATIONS AFTER ALL)
- DO NOT JUST ADOPT AASHTO – Specific references to design standards need to be included.

RAM Engineering Meeting, May 21, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Suggested making the requirements of an EHD submittal less cumbersome up-front. Tristan stated this needs to be dealt with through amending what EHD/DEQ requires.
- Current regulations require front loading of septic system/road review. Cumbersome and costly for developers.
- The County should not be reviewing for MDEQ Circular 8.
- Need to establish pathway standards. Pathways should be based on size/location of subdivision. ADA compliant. Control Density Fill (CDF) should not be used.
- All newly constructed roads should be "PAVED."
- Road standards should be consistent with National Fire Protection Standards.

Thoughts

- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Should the developer have the option of waiting until a Preliminary Plat Decision has been made and complete road design/septic design review as a part of final plat approval? Front Loading vs. Back Loading
- Consider requiring full paving on all new roadways?
- Utilize the NFPS when amending the County's road standards.

Corvallis Sewer District Meeting, May 26, 2009. Staff in attendance: Jon Wickersham.
Attendees: Corvallis Sewer District Board

- They are not very familiar with our current regulations.
- Although most of them had never seen a notification letter, some thought they are an inefficient way to solicit comment. Especially, when they are receiving multiple letters a week.
- They have had a problem with the county closing alleys which serve as sewer routes. They said it takes multiple meeting with the commissioners just to get one issue resolved.
- The sewer district needs to anticipate new growth and prepare for it. They would like to see something in our regs that allows them to expand if need be.
- They would like to have a say in how many houses per acre are expectable for subdivision. They are trying to maintain the rural character of Corvallis.
- The sewer district has a problem of drainage from new subdivisions and ditches draining into their sewer system.
- Every subdivision should have to have an irrigation plan.
- Some residents fill in ditches that seem not be in use. Although most of the year these ditches do not have water running through them in the winter they provide important drainage for snow runoff.
- They believe the liability should always be on the subdivider.
- French Drains should be outlawed in the county. In areas of high ground water motor oil and other contaminates mix into the ground water because there is no chance for this water to filter through the rocks and soil.
- The sewer district would like the county to have subdividers drill a test well and every five years go back and check the well.
- They would like to see the subdivision regulations streamlined and simplified.
The same review for 10 houses or 100 houses.

Thoughts-

The Corvallis sewer district had lots to say about the drainage from new subdivision into their sewer system. For this reason they would like to see every subdivision be required to irrigation plans (although they don't want to review them if they were in their area). Another interesting idea is to drill a test well and come back and check it every 5 years.

Fred Burr Meeting May 26, 2009. Staff Attending: Randy Fifrick, Irrigation District
Representatives: Larry Draper

Items Discussed:

- His past experiences working with the Planning Department and the subdivision regulations have been favorable.
- He enjoys meeting with the Planning Department and developers on site to resolve problems whenever possible. The earlier in the process the better.
- Fred Burr Creek has an emergency action plan. He would like to see the same thing instituted on the other streams in the County.
- Currently water rights are divided up equally. In some cases it is not possible to get all new lots irrigation water because of topography. He would like to see water allotted more accordingly. This may maybe a problem with the MCA's.
- Development within the Dam Inundation Zones causes problems. Any homes built to close to the creek can cause a dam to be considered high hazard. When these upgrades are required usually all water users are required to pay to upgrade the dam.
- Very few dams and dam operators in Ravalli County have liability insurance.
- He is not receiving notification letters. This probably has to do with no development take place in the area lately. The earlier the better for notifications.
- He has seen problems with irrigators shutting off their irrigation water for a year in order to pass groundwater monitoring and then turning it on again the next year.
- When a stream traverses a property he would like to see measuring devices placed at the entry point and all exit points to determine easily if they are over using their allotted water.

Thoughts:

- We need to put some thought in to how we want to address dam inundation areas. It seems like we could have major problems if we are approving subdivisions in high hazard areas and that dam were to break. Once again he would like to be involved earlier than later.

Geum Environmental Consulting, May 28, 2009. Staff in attendance: Randy Fifrick.
Attendee: Tom Parker

Items discussed:

- They would like to incorporate some of the things that came out of the wetlands training from 2007, they did a lot of research two years back.
- There was a memo from Geum Environmental Consulting to Karen Hughes from June 6, 2007 that include recommendations for regulation revisions.
- Pre-application conference is the time to catch wetland problems. Doing research upfront on hydric soils, riparian areas, shallow groundwater will save time in the end. Identify any wetlands at pre-application conference and inform them a delineation may be necessary.
- Include definitions of wetland terms.
- They would like to see a wetland delineation component added to the regulations. We talked about adding a waiver they could also ask for if there are wetlands on the property and they won't be affected. Specific language can be found their June 6, 2007 memo.
- Require soils info on hydric soils and prime farmlands
- Geum is always willing to assist our department when wetlands issues pop up on subdivisions.

Thoughts

- The memo from Geum should be pretty useful going forward, lots of thought out recommendations. Some good definitions we could use if we choose to.

State Historical Preservation Office. May 28, 2009. Staff in attendance: Randy Fifrick.
Phone Attendee: Damon Murdo

Items discussed:

- Current process seems to be working fine for them. All search form stuff is going well. They want to see applicants continue to be informed early at pre-application conference.
- When they recommend an inventory be done it should be prepared by a qualified person (degree in archeology, etc) to secretary of interior standards- class 3.
- Most inventories in Ravalli County will occur around water features.
- Anything over 50 years of age is considered historic and should be recorded with SHPO.
- Madison County, MT has regulations on the SHPO inventory.
- May want to add a question if historic, cultural, etc is found on the property...how it was mitigated.
- SHPO has a list of qualified consultants on their website. Apparently there is a pretty big pool.

Thoughts

- Everything seems to be running pretty smoothly. I think we are dropping the ball a bit by not having a regulation on the inventory that SHPO occasionally asks for. Madison County, MT should be useful in putting something in our regulations.

Applebury Survey Meeting. May 28, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Pro-Rata seems to be illegal.
- Road review process is cumbersome and expensive. No need to have the multiple stages of review. Issue with deadlines for review.
- A Floodplain Analysis Waiver should be granted if it can be shown that the floodplain does not touch the property. Issues with deadlines for review.
- Road review and Floodplain Review should have same deadlines as Planning Review.
- Pedestrian facility standards.
- Sensitive Species data needs to be looked at. Requiring information for all species in the same section as the subdivision does not make sense.
- Mitigation fees should be set so developer/subdividers know what to expect

Thoughts

- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Provide updated administrative materials with the pre-app outlining recent mitigation requests.
- Re-draft pro-rata language to be specific to a particular roadway. Create the "nexus" and "proportionality".

Items Discussed:

- George began by saying that his biggest concern is that the County somehow tries to implement some form of zoning with the updating of the new subdivision regs.
 - He wants planning staff to make *very clear* 1) the differences between zoning, sub regs, and other land use/building regulations, and 2) what subdivision regs can and cant do
- Encourages staff to introduce an expedited process for people wishing to remove an agricultural covenant by the aggregation of one or more lots.
 - Also suggested that an expedited process might be appropriate for ag covenant removal if an individual wants to “swap” that exemption with another. (in other words, go directly from an ag covenant on one parcel and nothing on another, to a family transfer on both, leading to two buildable lots.
- Suggested that we use remainders under “proper circumstances”, such as if the person is living on the remainder lot, must demonstrate that they have to live on the remainder lot for a period of years (like family transfers)
- Thinks the pro-rata system is ok, has no philosophical opposition to it and understands Road Supervisors logic for how the system is set up.
- Wants consistency and predictability in the sub review process, feels that sometimes a subdivision approval is a “moving target”. A problem of this is there does not appear to be consistent application of the six criteria – too much subjectivity in their review. Would like to see the requirements of the review criteria objectified.
- Planners should be more willing to offer alternatives, and more forthcoming with our knowledge of how the process works. We should be willing to suggest alternative design and concept ideas versus simply “respond to what we’re given”. This would be particularly applicable at the pre-application conference.
 - Planners should work with the developer, and do so by presenting a “less adversarial” position. We should make suggestions and offer ideas to make their project more reasonable.
 - A planner should basically be saying, before every pre-app “how can we make this project work”?
 - Suggested introducing a planner/developer design process in the pre-app

Thoughts:

- The difference between zoning and subdivision regulations *must continue to be made clear*. At every situation, planners and other government officials must re emphasize and re emphasize again what sub regs can and cannot do. Subdivision regulations are not zoning regulations. (nor are they building codes)
- Revocation of ag covenants through aggregations is a good idea.
- Remainders may not be legal. There was some legislation that intended to make them legal this past session, but that bill died.

- Pro-rata may have to be changed. With the passage of HB 486, capital improvements must be used on the specific infrastructure project that they were assessed on. In other words, the road grader network system may no longer apply. Instead, pro-rata funds must be used on the road for which they were assessed.
- Consistency and predictability are also desirable for planners. We need to investigate legal and reasonable ways of objectifying the review process, which should give a developer a much clearer picture up front of the challenges their project may face.
- The pre-app conference is a critical time in the process and George has a good point. Many other jurisdictions use this conference as a time to analyze the design and propose changes to it, and other elements of the subdivision. I could see Ravalli County going down this path. This should also encourage a stronger working relationship between developers and planners.

Marcus Daly Memorial Hospital Meeting. June 10, 2009. Staff in attendance: John Lavey.

Items discussed:

- Hospital has four main concerns:
 - Posting of addresses. Addresses should be posted at the intersection of the driveway with the access road. Addresses numerals should be big (4" x4" was suggested), and reflective so they can be seen at night. John mentioned that often, a large factor in determining response time is the ability for ambulance drivers to actually see where the site is.
 - Street name signs. Some intersections have street signs posted, some don't. The County should ensure that street signs are visibly posted at each and every intersection. This again often plays a part of response time.
 - Access in winter. Grade is usually fine in the summer, but can be a real headache in winter. The hospital only has two four wheel drive vehicles – one stationed in Darby and one in Hamilton – and the rest of the fleet is two wheel drive. In winter, whether two or four wheel drive, ambulance drivers find they sometimes must chain up the vehicle on steeper grades, which effects response time.
 - Switchback radius. Whether winter or summer, sometimes the radius of tight turns forces an ambulance driver to make a three point turn to make a tight corner. Minimum radii for these situations should be determined that would allow one clean turn on the corner.
- Hospital would also like to assess mitigation fees for new developments. Their ambulances all have over 200,000 miles on them, and customers are not able to foot that bill. Annually, the hospital subsidizes up to \$300,000 to keep their fleet running.
- In general, roads should be well maintained. Not rutted or deteriorated. Gravel compaction necessary, at least.

Thoughts

- Clarification of posting of addresses.
- Street name signs – need to work with David to determine issues surrounding this. Can County put up new signs? What are costs?
- Road grade been a big issue - will take many discussions between multiple parties to even hope to get close on reasonable resolution to this.
- Switch back radius – consult AASHTO and engineers for their input.
- Mitigation fees: can County assess mitigation fees for a private enterprise? As much as it makes sense, there may be legal complications. In any event, I told John that the hospital should put together some of their operating metrics to determine (or get close to determining) how the hospital might be affected by new development. Is there a per lot amount that can be identified, that the hospital is currently absorbing. Or would this calculation be fatally flawed?
- Road maintenance. Obviously, RMA might be made clearer. Highly dependent on people using road to actually use RMA however.

Specialized Engineering Meeting June 10, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Streamline timeframes for floodplain analysis review.
- Issues with WGM's review of MDEQ Circular 8. Leave DEQ review to DEQ.
- Allow for smaller right-of-way if acceptable. 60' is too much, especially for two (2) lot subdivisions.
- When PE provides stamp on something that should be adequate. Should not need to be reviewed by another PE.
- Table 5-2-1 (Sanitation Guidelines) should be eliminated.
- Pro-Rata fees should be utilized on the roads from which they were collected.
- Chip-seal could be utilized as minimum standard for new roads.

Thoughts

- Update pro-rata to have a more clearly identifiable "nexus".
- Consider eliminating the ability to construct gravel roads.
- Remove Table 5-2-1 and instead reference "current DEQ standards".

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Engineering Meeting June 10, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- If a floodplain analysis has been completed a property within the same basic vicinity should be able to receive a waiver.
- Issues with WGM's review of road/grading and storm-water plans. Requested County consider utilizing new consultant. Timelines need to be clearly defined for road review.
- Pro-rata should be utilized across the board. The 20+ lot threshold currently within the regulations is ambiguous.
- Projects shouldn't have to be frontloaded (Road and Sanitation)
- Chip-seal should be utilized as minimum standard for new roads.
- Utilizing LOS as a standard for allowing access will cause more harm than good. How far to the future should one be required to look at when determining level of service? Current? 5-year? 10-year? 20-year?
- Require turnouts within cul-de-sacs. This would replace the need to receive a variance on long cul-de-sacs.
- DEQ should rule when it comes to reviewing storm-water plans. Get the County out of doing the states job.
- If regs require pedestrian facilities, the minimum standard should be paved. Gravel is not an adequate surface for pedestrian facilities.
- Parking lot standards: drainage/lighting/space

Thoughts

- Update pro-rata to have a more clearly identifiable "nexus". Get rid of the ambiguous 20 lot threshold for required road improvements.
- Consider eliminating the ability to construct gravel roads.
- Pedestrian facilities need to be looked at and incorporated.
- Road/Storm-water review timelines need to be managed more closely.
- Look into the issue with frontloading projects.
- Where does 60' right-of-way come from? State statute?

Office of Emergency Management Meeting, Ron Nicholas. June 11, 2009. Staff in attendance: John Lavey

Items discussed:

- Ron often speaks with people at local emergency management institutions, like sheriff, fire depts., police and ambulance.
- He hears from them often that the biggest issue with new subdivisions is access – how the emergency response providers are able to get in and out, turn around and navigate internal subdivision roads.
- Ron then explained the process the County uses to respond to emergencies

Thoughts

- This information is consistent with what we are hearing from emergency response providers.

Powell Surveying Meeting June 15, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Bring back expedited minor review or something similar to provide a streamlined process for smaller scaled subdivisions.
- Lease or Rent: Allow for the construction of one (1) additional structure per parcel without review.
- Create an incentivized review process for subdividers doing the "right thing". Look into requesting deed restrictions, conservation easements, etc. to protect environmentally sensitive features.
- Look into the current process of requiring sensitive species information and reports.
- Current WUI standards limit all construction down the east and west forks. Is this something that the County is aware of and willing to deal with. Look into updating WUI standards to be more fair.
- Road review should be required at final plat. Up front the subdivider should be required to submit basic info (i.e. grades, surface, width).
- Pedestrian facility standards. Could be based on proximity to schools and distance to incorporated towns.
- Where's the "nexus" in the current pro-rata assessment?

Thoughts

- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Re-draft pro-rata language to be specific to a particular roadway. Create the "nexus" and "proportionality".
- Create a permitting process along the lines of the WUE and allow for the construction of guest homes.
- Define "environmentally sensitive features" and create incentives for subdividers that propose projects protecting such areas.
- Define "the right thing". Staff continues to hear folks talking about making the review process easier for people who want to subdivide "the right way", we've yet to hear what the "right way" is.

KEC Meeting June 15, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- 60' easement width is excessive. 2 lot subdivisions should be able to go as low as 30'.
- Lease or Rent: Allow for the construction of one (1) additional structure per parcel without review.
- Standards for school bus shelters.
- Provide a streamlined process for two (2) lot subdivisions and Ag Covenant lifting.
- Pedestrian facility standards. Could be based on proximity to schools and distance to incorporated towns.
- Consider splitting apart the requirements section for major and minor subdivisions. Minor subdivision review to be less tedious.
- Provide more detail within sufficiency letters.
- Projects should not be swapped around between staff.
- Look into the current process of requiring sensitive species information and reports.
- Road review should be required at final plat. Up front the subdivider should be required to submit basic info (i.e. grades, surface, width).
- Where's the "nexus" in the current pro-rata assessment?

Thoughts

- Pedestrian facilities are planned to be looked at by the Planning Department in this process.
- Re-draft pro-rata language to be specific to a particular roadway. Create the "nexus" and "proportionality".
- Create a permitting process along the lines of the WWE and allow for the construction of guest homes.
- Create school bus shelter standards.
- Make Departmental policy to have projects start and end with one (1) planner and craft more thorough deficiency letters that more specifically lay out what it is that is deficient.

Ravalli County Treasurer Meeting. June 16, 2009. Staff in attendance: John Lavey.

Items discussed:

- The treasurer is involved in the subdivision process only on the back end, when developers need to pay mitigation assessments as outlined in the Preliminary Plat Decision.
- Planning staff create several documents that are transmitted to the Treasurer describing the fees that need to be paid. This process is working quite well and suggest that it continue into the future as is done now.

Thoughts

- Its good to hear that something is working well!

Bitterroot RC&D Meeting, June 16, 2009. Staff in attendance: John Lavey. Attendees: Jim Freeman, Bill Stroud, Larry Russell, Becky Koon

- The RC&D is engaging in a project to delineate the WUI for the Bitterroot Valley. It is anticipated that they will review high-resolution aerial photography, and couple that with some site specific ground truthing in order to (as accurately as possible) define the WUI. They are working on this because of some recent legislation.
- In 2004 a working group of the RC&D put together some model WUI standards for subdivision. The group still recommends that those standards be implemented in the revised subdivision regs

Thoughts-

I haven't had a chance to review the 2004 suggested model WUI regs, but one thing that came up occasionally at this meeting was a wont for certain construction techniques to be applied to new building. I had to make very clear (and did so on a couple of occasions for good measure) that subdivision regs don't prescribe building codes; that we were talking about standards and a procedure to fragment land. Some infrastructure requirements, like roads and paths, may be included in subdivision design, but they will not include building codes or density requirements.

We discussed that we would meet again to go over some proposed standards in more detail.

Environmental Health Department Meeting, June 23, 2009. Staff in attendance: John Lavey

Items discussed:

- EHD staffers discussed that in our language recommending no wood stoves, the language should instead say “EPA certified solid fuel burning devices.” This would be a change to our notifications document language.

Thoughts

- Neither Morgan nor Lea was present, so I’ll need to talk with them in more detail at a later date.
- Language seems like an easy fix.

Lee Metcalf National Wildlife Refuge. June 24, 2009. Staff in attendance: Randy Fifrick.
Attendee: Erin Holmes

Items discussed:

- *Most of the meeting was spent educating Erin about the subdivision process in Ravalli County and answering her questions based on her previous experiences here (Lone Pine Estates and Moiese Meadows). She said this is the first time in any of her jobs that she has been asked for comments about development around a refuge and was grateful for the opportunity.*
- She wants to be notified when there are subdivisions in the proximity of LMNWR.
- She would like large timelines on which to make her comments on the notifications sent through subdivision review. I explained that she can make comments anytime throughout the process, but they need to be in before the meeting/hearing and preferably before the staff report is issued.
- Would like to see full cut off lighting.
- She would like to review the first draft when it comes out.

Thoughts

- They obviously would like to see limited development around the LMNWR, but she realizes without zoning we can't do much to control it. We can however work with the developers to minimize impacts when possible.

RCRBD Meeting June 25, 2009. Staff in attendance: John Lavey & Tristan Riddell

Items discussed:

- Pull existing guidelines from the subdivision regulations and simply reference the adopted Ravalli County design standards (AASHTO).
 - Include some specific standards within the regulations: cul-de-sac length, grade, r-o-w, paving requirements, etc.
 - Find rationale behind requiring a T.I.A. At what threshold is one required: 100 ADT, traffic increase of 25%, County discretion? The Institute of Traffic Engineers report "Transportation Impact Analysis for Site Development" suggests using 100 ADT or County discretion.
 - Consider requiring pro-rata across the board. Look into the potential legal issues of placing pro-rata funds in a road district.
 - Pro-rata to be retained and made an option. Either complete road improvements or pay a pro-rata share. This would not make it a requirement and would more than likely make it legally defensible.
 - Update the off-site road improvements section:
 - Minor Subdivision – Require a T.I.A. and perform necessary mitigation or pay Pro-Rata and indemnify the County if development is off a County-maintained gravel road (indemnification not required if off a County-maintained paved road).
 - Major Subdivision (6 – 49 lots) – Improvements to "New Construction" standard for all County-maintained gravel roads accessing the development. Require a T.I.A. and perform necessary mitigation or pay Pro-Rata on all County-maintained roads.
- (Continue think about the pro-rata option for majors. Should it be allowed?)
- Mega-Major Subdivision (50+ lots) – Improvements to "New Construction on all County-maintained roads leading to the development.
 - Continue to discuss the options for off-site private roads...
 - Will continue to have discussions with the RCRBD as the project moves along.

Ravalli County Extension. July 2, 2009. Staff in attendance: Jon Wickersham. Attendee: Bobbie Roos, Katelyn Andersen

Items discussed:

- They are not very familiar with our current subdivision regulations.
- They have had people ask about cluster development and ask what they can do with orchard tracts.
- Would like to see a cheap process for a farmer to develop a portion of his land while still being able to keep a piece for agricultural production.
- Had questions about Home Owners Association and when it is required. They recommend placing an informational sheet with the HOA document that outlines what exactly a HOA is and how a homeowner can get involved.

Thoughts

- They are not familiar with the regulations, would like to see informational handout with a HOA and would like to see a process where a farmer can sell land but keep some for agricultural production i.e. cluster development, boundary lines for orchard tracts.

Corvallis Fire District Meeting. July 7, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Jim Knapp, Corvallis Rural Fire Chief expressed concern over the policy to exempt lots from paying the \$900 fire fee. He would prefer to require the fee on all lots within the subdivision, unless there is an existing home on the property.
- How can the County ensure that driveways meet the required standards following a subdivision approval?
- Access requirements for subdivisions within the WUI need to require two separate accesses from the subdivision (on-site) and two accesses out of the WUI once off-site.
- Give the fire departments more say in approving proposed road design as it relates to cul-de-sac length.

Thoughts

- Allow the fire districts to give approval of cul-de-sac design that exceeded the maximum allowed length. This would limit variance requests and provide the fire department with a chance to get a road design that would meet their needs.
- Create internal policy to require fire mitigation on all lots within a proposed subdivision. Have this discussion with the BCC.
- Look into ideas for ensuring that driveway standards are met once a subdivision plat has been filed. Link approval to septic permit? Enforce as a covenant?

BBIA Meeting, July 15, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Expressed concerns with up-front costs. It becomes a big risk to put large amounts of \$ into a project up-front without knowing (even if the regulations are met) what response one will get from the BCC. This was heard over and over throughout the meeting and became the theme of the discussion.
- The political/emotional aspects of the public hearing process are a concern.
- Interested in adding incentives in the way of time and money. #1 incentive would be a more streamlined process.
- When conditions are required the liability to enforce those conditions should be with the County not put off on a HOA.
- Road review should not be a three staged review. One review by a design

Thoughts

- One valuable concept discussed during the BBIA meeting was the idea of ensuring that the release of a Draft is thoroughly reviewed internally and passed by the Planning Board and BCC prior to its release. This idea is well taken, especially considering what happened during the zoning project.

Clerk & Recorder Meeting. July 16, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Require a Certificate of Survey to be filed for the following exemptions: Court Order, Public rights-of-way/utility sites, and cemetery lots.
- Only require one mylar copy to be submitted with final plats.
- Treat remainder tracts the same as gifted tracts – Family Transfer Exemption

Thoughts

- When making amendments to regulations in 2007, it was recommended to treat the remainder tract and gifted tract the same. This was changed during the public hearing process, but should be looked at again.
- The other changes should be easily implemented with little to no opposition.

Park Board Meeting, July 8, 2009. Staff in attendance: John Lavey. Park Board members present: Josh Biebinger, Carlotta Grandstaff, John Ormiston, Mike Enzler, Gary Leese, William Delany, Pat Zieler

- Park Board wants to be involved in subdivisions at a very early stage. They appear to understand our current notification process, but feel they may have more input if they could participate at the pre-app stage.
- They do not want to see parkland proposed on areas that are unsuitable for park purposes, such as steep hillsides, areas along roads, and areas that have hazards, like power lines.
- Suggested that subdivision regulations contain specific standards for parks (i.e. the type of ground suitable, design standards). Alternatively, they discussed that parks should be more site specific, and take shape relative to the subdivision proposal to allow for more flexibility in design.
- The Board recommends that there be administrative documents (such as a homeowners association) that clearly and specifically describe how the parks are to be maintained, which would include establishing a fee structure and maintenance clauses.
- The Board expressed concern that, even with the inclusion of a fee structure and maintenance clauses in HAO documents, the HOA itself must have the ability and motivation to operate functionally. In the event a HOA is clearly inactive, the Board thinks they may need to be encouraged to perform their obligations, to the extent that the County may need get involved.
- The Board would like to see pedestrian standards included in subdivisions, but not for all, it's got to be site specific.
- Parkland created through subdivision should not be allowed to be sold and developed as anything other than a park at a later date (a deed restriction). Alternatively, the board suggested we consider that adjoining landowners are allowed the 'first right of refusal' to buy a park property that may be otherwise developed.

Brief Thoughts

The idea of agencies attending the pre-app has come up in a few other discussions. Allowing agencies to participate could prove to be beneficial and problematic. There are state law requirements pertaining to pre-apps, and inviting other agencies unfamiliar into that process may invite confusion. It also may prove to be beneficial for the developer to hear early on what other government entities think of their proposal. Alternatively, the PD could meet with agencies outside of the official pre-app to get their thoughts early, then transmit those thoughts to developer at the pre-app. This idea deserves more discussion.

The HOA provisions already contain fee structure and maintenance provisions, but I suppose they could be made to more specifically address park situations. Or staff could include as conditions specific items pertaining to each project to make it site specific.

Hamilton Fire District Meeting, July 22, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- How can the County ensure that driveways meet the required standards following a subdivision approval?
- The topic of giving the Fire Districts more say in approving cul-de-sac design was discussed. The HRFD was very interested in allowing a more flexible regulation that gave the Fire Districts some say up-front.
- If/when a water supply is required of a subdivision, who maintains it? How can the Fire District be sure that continual maintenance will take place? Who will enforce?
- How to ensure that driveways are constructed to Fire District standards was discussed. AN idea that stemmed from the discussion was to require a letter of approval from the Fire District prior to the issuance of a septic permit. Another idea was to require building envelopes that guarantee the driveway would be less than 150' or if longer than 150', the driveway would be constructed prior to final plat approval.

Thoughts

- Allow the fire districts to give approval of cul-de-sac design that exceeded the maximum allowed length. This would limit variance requests and provide the fire department with a chance to get a road design that would meet their needs.
- Look into ideas for ensuring that driveway standards are met once a subdivision plat has been filed. Link approval to septic permit? Enforce as a covenant?
- The EHD would need to be on-board with any process requiring the Fire District to grant approval prior to the issuance of a septic permit. This will need to be further discussed with both parties. This would not require an amendment to the regulations, but an internal policy to function properly.

Gary Koepplin (Bitterroot Valley Board of Realtors – President). July 22, 2009. Staff in attendance: Tristan Riddell.

Items discussed:

- Discussion ran the gamut from subdivision review process and specific design standards to providing education and outreach to the real-estate community.
- Gary stated that once a Draft set of Regulations was released it would be circulated with the BVBOR and at that time the BVBOR would provide comments. He made clear that he was not speaking on behalf of the Board.

Thoughts

- The meeting was productive in the fact that it opened up lines of communication between the Planning Department and the real-estate community.
- Staff will work towards scheduling and creating some type of educational session (potentially to provide continuing education credits) in the near future.